GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes, Prohibition & Excise and Transport Departments – Surprise Check conducted over the Integrated Check Post of Commercial Taxes, Prohibition & Excise and Transport Departments, Naraharipeta, Chittoor District on 21-12-2013 – Allegations of Corruption – Common disciplinary proceedings initiated – Inquiry under Rule 20 of APCS (CCA) Rules, 1991 - Article of Charges framed against Sri B.Krishna Murthy, Senior Assistant (Commercial Tax Inspector), Commercial Taxes Department – Orders – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.804 Date : 07-09-2015
Read :

G.O.Ms.No.323, Revenue (Vigilance - II) Department, dated 07-09-2015.

&

O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, in the reference read above it is considered necessary to hold an enquiry against Sri B.Krishna Murthy, Senior Assistant, (Commercial Tax Inspector), Commercial Taxes, Integrated Check Post, Naraharipeta, Chittoor District (Suspected Officer-5) under Rule 20 of the said rules. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of witnesses by whom and the list of documents by which the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

2. Sri B.Krishna Murthy, Senior Assistant, (Commercial Tax Inspector), Integrated Check Post, Naraharipeta, Chittoor District is directed to submit within ten days of the receipt of this Order a written statement of his defense.

3. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

4. Sri B.Krishna Murthy, Senior Assistant, (Commercial Tax Inspector), Integrated Check Post, Naraharipeta, Chittoor District is further informed that if he does not submit his written statement of defense on or before the date specified in para 2 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

5. Attention of Sri B.Krishna Murthy, Senior Assistant, (Commercial Tax Inspector), Integrated Check Post, Naraharipeta, Chittoor District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside

(p.t.o)

influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

6. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri B.Krishna Murthy, Senior Assistant, (Commercial Tax Inspector), Commercial Taxes, Integrated Check Post, Naraharipeta, Chittoor Dist. (Enclosers Annexures I to IV)
through the Commissioner of Commercial Taxes, A.P., Hyderabad.
(with a request to serve the order on the individual and send the served copy with dated signature to Government)
Copy to
1.The Commissioner, Commercial Taxes, Andhra Pradesh, Hyderabad.
2.The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, Hyd.
3.The Director General, Anti Corruption Bureau, A.P., Hyderabad.
4.The Deputy Commissioner, Commercial Taxes, Chittoor District,
5.The Revenue (CT.I) Department.
6. SF / SC

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-I

Statement of Articles of Charges framed against Sri B.Krishna Murthy, S/o.B.Munaswamy, Age 49 Years, Senior Assistant, (Commercial Tax Inspector) Commercial Taxes Department, Integrated Check Post, Naraharipeta, Chittoor District.

That Sri B.Kirhsna Murthy, S/o.B.Munaswamy having joined Government service as Examiner of Copier, District Court, Chittoor on 02-11-1989 in Judicial Department. He worked as Steno cum Typist at Principal Munisif Court, Puttur from 08-11-1989 to 04-08-1990. He worked at various places in Judicial Department from 02-11-1989 to 01-11-1996. Then he got transferred to Commercial Taxes Department as Steno cum Typist, O/o.Commercial Tax Office, Chittoor-II Circle on 01-11-1996. He worked in the above capacities at various places in Chittoor District. He worked as Senior Assistant (Commercial Tax Inspector), Integrated Check Post, Naraharipeta Chittoor District from 17-05-2013 to 21-12-2013. While he was working as Senior Assistant, (Commercial Tax Inspector), Integrated Check Post, Naraharipeta Chittoor District from 17-05-2013 to 21-12-2013, he has committed gave misconduct in as much as 1) he has escaped from the ICP though back door and he wantonly abstained himself from attending duty till the completion of Surprise Check from 1-00 AM to 4-00 AM, i.e., 21-12-2013. He un-authorisedly absented himself for duty without taking prior permission or leave from the authorities concerned. 2) He is habituated of not putting signature in the attendance register, to take plea that he is not in duty, if any Anti Corruption Bureau raid occurs. After completion of his shift duty he puts signature in the attendance register to avoid supervisors remarks by his superiors. 3) while he was working as Senior Assistant, (Commercial Tax Inspector), Integrated Check Post, Naraharipeta Chittoor District, the Government Servant with the connivance of his staff is in the habit of collecting bribe amounts from the truck / lorry operators passing through the Check Post and the same is evident by voluntary offerings obtained in the counter of the Commercial Taxes Department during the time of Surprise Check to a tune of Rs.27,270/-. He violated the provisions laid down under by violating the instructions of the Superior Officers in G.O.Ms.No.381, General Administration (Services-C) Department dated 08-12-2003 which enunciates that “A Government Servant who habitually fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected of him shall be deemed to be lacking in devoting to duty and thereby contravened Rule 3 (1), (2) & Rule 4 (1) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus, Sri B.Kirhsna Murthy, S/o.B.Munaswamy by his above mentioned acts has exhibited lack of supervision, lack of integrity, lack of devotion to duty, conduct unbecoming of a Government servant and thereby contravened Rule 3 (1), (2) & Rule 4(1) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

ANNEXURE-II

Statement of Imputations of Misconduct and Misbehaviour in support of Articles of Charges framed against Sri B.Krishna Murthy, S/o.B.Munaswamy, Senior Assistant, (Commercial Taxes Inspector), Age 49 Years, Commercial Taxes Department, Integrated Check Post, Naraharipeta, Chittoor District.

Sri B.Krishna Murthy, S/o.B.Munaswamy, Senior Assistant, having joined Government service as Examiner of Copier, District Court, Chittoor on 02-11-1989 in Judicial Department. He worked as Steno cum Typist at Principal Munisif Court, Puttur from 08-11-1989 to 04-08-1990. He worked at various places in Judicial Department from 02-11-1989 to 01-11-1996. Then he got transferred to Commercial Taxes Department as Steno cum Typist, Office of Commercial Taxes Office, Chittoor-II Circle on 01-11-1996. He worked in the above capacities at various places in Chittoor District. He worked as Senior Assistant (Commercial Tax Inspector), Integrated Check Post, Naraharipeta, Chittoor District from 17-05-2013 to 21-12-2013. He was drawing a basic pay of Rs.21,820/- as on 21-12-2013. His superannuation is on 31-05-2023. He is here-in-after referred to as Government Servant.

Charge - I:

That the Government Servant Sri B.Krishna Murthy, S/o.B.Munaswamy while he was working as Senior Assistant (Commercial Tax Inspector), Integrated Check Post, Naraharipeta, Chittoor from 17-05-2013 to 21-12-2013 he has committed grave misconduct in as much as he has escaped from the Integrated Check Post though back door and he wantonly abstained himself from attending duty till the completion of Surprise Check from 1-00 AM to 4-00 AM, i.e., 21-12-2013. He un-authorisedly absented himself for duty without taking prior permission or leave from the authorities corned and he violated the provisions laid down under Rule 3 (1), (2) & 4 (1) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge – II :

That the Government Servant Sri B.Krishna Murthy, S/o.B.Munaswamy while he was working as Senior Assistant (Commercial Tax Inspector), Integrated Check Post, Naraharipeta, Chittoor from 17-05-2013 to 21-12-2013 he has committed grave misconduct in as much as he has habituated of not putting signature in the attendance register, to take plea that he is not in duty, if any Anti Corruption Bureau raid occurs. After completion of his shift duty he puts signature in the attendance register to avoid supervisor remarks by his superiors. Thus the Government Servant has violated the provisions laid down under Rule 3 (1) and (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge – III :

That the Government Servant Sri B.Krishna Murthy, S/o. B.Munaswamy while he was working as Senior Assistant (Commercial Tax Inspector), Integrated Check Post, Naraharipeta, Chittoor from 17-05-2013 to 21-12-2013 he has committed grave misconduct in as much as while working at the Check Post, the Government Servant with the connivance of his staff is in the habit of collecting bribe amounts form the truck / lorry operators passing through the Check Post and the same is evident by voluntary offerings obtained in the counter of the Commercial Taxes Department during the time of Surprise Check to a tune of Rs.27,270/-.

Thus, the Government Servant has violated the provisions laid down under Rule 3 (1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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Facts & Evidence:

On 20-12-2013 at 8-00 PM reported for duty at the Check Post. During the period of Surprise Cehck on seeing the Anti Corruption Bureau Officials he escaped from the Integrated Check Post through back door and he wantonly abstained himself from attending duty till the completion of Surprise Check from 1-00 AM to 4-00 AM, i.e., 21-12-2013. He un-authorisedly absented himself for duty without taking prior permission or leave from the authorities concerned. During the Surprise Cehck from 1-00 AM to 4-00 AM, i.e., on 21-12-2013 an amount of Rs.27,270/- was received as bribe through the voluntary offerings of truck / lorry operators passing through the Check Post during the same period, which clearly indicates that Sri B.Kishna Murthy colluded with the other staff working in the Check Post who were collecting bribes from the truck operators passing through the Check Post. He is habituated to corruption and from the act of his absconding at the time of Surprise Check. It can be inferred that he was possessing bribe amount in his possession and to avoid checking he absconded with the bribe amount collected from the truck drivers and others.

On further examination of the staff of the Integrated Check Post it is learnt that before joining the shift duty, the Government Servant is in the bad habit of not putting signature in the attendance register. It is to take a plea that he is not in duty, if any Anti Corruption Bureau raid occur. This is evident from the transactions done by him on the date of Surprise Check. Further it is also learnt that, after completion of his shift duty he puts signature in the attendance register to avoid supervisory remarks by his superiors.

The facts and material gathered so revealed that the Government Servant Sri B.Krishna Murthy, Senior Assistant (Commercial Tax Inspector) has committed the grave misconduct.

Thus, the Government Servant B.Krishna Murthy, by his above mentioned act has exhibited lack of integrity, devotion to duty and conduct unbecoming of Government Servant and thereby violated Rule 3 (1), (2) & Rule 4 (1) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Department Action, for Major penalty.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES:

1) Sri V.Ravi Kumar Naidu, S/o.Kuppaiah Naidu, age 45 years, MPDO, Veduru Kuppam Mandal, Chittoor District, Cell No.9491071338.

2) Sri G.Chandra Shekar, S/o.G.Rama Swamy, age 42 years Sr.Asst., MPP, Chandragiri, Chittoor District, Cell No.9000368832

3) Sri Mani Ravi, S/o.Mani, age 31 years, Lorry driver bearing No.AP 02 W 4446, R/o.38/A, Ponnuswamy street, Pichanuru, Gudiyattam-63, Tamilnadu, Cell No.07200002679.

4) Sri Ammu Raja, S/o.A.Armugam, age 39 years, Lorry driver bearing No. TN 23 AM 2022, R/o.Marriyamma Kovel Street, Aunikalt Village, Velluru District, Cell No.08098072859.

5) Sri Chennai Nagaraja, S/o.Chinna Thambi, age 50 years, Lorry driver bearing No. TN 40 D 2146, R/o.30, Saraswathi Nagar, near TVT Nagar, Chennai, Cell No.09789860375.

6) Sri Kanniyappan Subramanyam, S/o.Kanniyappa, age 53 years, Lorry driver bearing No.TN 23 AJ 3688, R/o.42, Maruthi Nagar, Veluru-9, Tamilnadu, Cell No.09994277945.

7) Galiveedu Chandra Sekhar, S/o.Gaganna, age 36 years, Lorry driver bearing No.AP 04 TU 2595, R/o.D.No.6/76, Pakkireddygaripalli Village, Galiveedu Mandal, Kadapa District, Cell No.9704498549.

8) Sri K.Chandra Sekhar, Inspector of Police, Anti-Corruption Bureau, Tirupati Range, Tirupati.

9) Sri P.S.V.Rama Kishore, Inspector of Police, Anti-Corruption Bureau, Tirupati Range, Tirupati.

10) Sri M.Sudhakara Reddy, Inspector of Police, Anti-Corruption Bureau, Tirupati Range, Tirupati.

11) Sri C.Lakshmikantha Reddy, Inspector of Police, Anti-Corruption Bureau, Tirupati Range, Tirupati.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

ANNEXURE-IV

LIST OF RECORDS/DOCUMENTS:

1) Original Surprise check proceedings 1 & 2 drafted on 21-12-2013 from 00-30 AM to 05-30 AM at the Integrated Check Post, Naraharipeta, Chittoor District.

2) Attendance Register of Commercial Taxes Department of Integrated Check Post, Naraharipeta, Chittoor District.

3) Personal Cash declaration Register of Commercial Taxes Department of Integrated Check Post, Naraharipeta, Chittoor District.

4) Statement of Sri Mani Ravi, S/o.Mani, age 31 years, Lorry driver bearing No.AP 02 W 4446, R/o.38/A, Ponnuswamy street, Pichanuru, Gudiyattam-63, Tamilnadu, Cell No.07200002679.

5) Statement of Sri Ammu Raja, S/o.A.Armugam, age 39 years, Lorry driver bearing No. TN 23 AM 2022, R/o.Marriyamma Kovel Street, Aunikalt Village, Velluru District, Cell No.08098072859.

6) Statement of Sri Chennai Nagaraja, S/o.Chinna Thambi, age 50 years, Lorry driver bearing No. TN 40 D 2146, R/o.30, Saraswathi Nagar, near TVT Nagar, Chennai, Cell No.09789860375.

7) Statement of Sri Kanniyappan Subramanyam, S/o.Kanniyappa, age 53 years, Lorry driver bearing No.TN 23 AJ 3688, R/o.42, Maruthi Nagar, Veluru-9, Tamilnadu, Cell No.09994277945.

8) Statement of Galiveedu Chandra Sekhar, S/o.Gaganna, age 36 years, Lorry driver bearing No.AP 04 TU 2595, R/o.D.No.6/76, Pakkireddygaripalli Village, Galiveedu Mandal, Kadapa District, Cell No.9704498549.

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